

AMENDED IN ASSEMBLY MAY 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 790

Introduced by Assembly Member Ruskin

February 26, 2009

An act relating to state scientists.

LEGISLATIVE COUNSEL'S DIGEST

AB 790, as amended, Ruskin. State scientists: salaries.

Existing law generally requires the Department of Personnel Administration to establish and adjust salary ranges for each class of position in the state civil service subject to any constitutional merit limits. Existing law requires the salary range to be based on the principle that like salaries shall be paid for comparable duties and responsibilities. Existing law prohibits the department from making any adjustments that require expenditures in excess of existing appropriations that may be used for salary increase purposes.

This bill would *declare the intent of the Legislature to enact legislation to implement the salary determinations of the Department of Personnel Administration for 14 classifications of state scientist supervisory employees covered by the April 28, 2008, Director's Decision of the Department of Personnel Administration, as ordered by the Sacramento County Superior Court on April 24, 2009.*

~~The bill would specify that it would not provide additional funds to departments for the state employee compensation increases associated with the provisions of that decision that become effective during the 2008-09 fiscal year. The bill would state that prior specified appropriations may include amounts for continuing employee benefits~~

that are more than the level of funding for employee benefits reflected in the state's overall spending plan for the 2008-09 fiscal year.

~~The bill would also authorize the Department of Finance to transfer appropriation authority between the separate specified items of appropriation, as permitted by the Budget Act of 2008, to ensure that each department's expenditures will be consistent with the appropriations authorized by the Budget Act of 2008 or any other appropriation available to that department in order to mitigate unfunded employee compensation increases to be effective during the 2008-09 fiscal year.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. It is the intent of the Legislature to enact*
2 *legislation to implement the salary determinations of the*
3 *Department of Personnel Administration for 14 classifications of*
4 *state scientist supervisory employees covered by the April 28,*
5 *2008, Director's Decision of the Department of Personnel*
6 *Administration, as ordered by the Sacramento County Superior*
7 *Court on April 24, 2009.*

8 ~~SECTION 1. The Legislature finds and declares that the~~
9 ~~purpose of this act is to implement the salary determinations of~~
10 ~~the Department of Personnel Administration for 14 classifications~~
11 ~~of state scientist supervisory employees covered by the April 28,~~
12 ~~2008, Director's Decision of the Department of Personnel~~
13 ~~Administration.~~

14 ~~SEC. 2. This act does not provide additional funds to~~
15 ~~departments for the state employee compensation increases~~
16 ~~associated with the provisions of the April 28, 2008, Director's~~
17 ~~Decision of the Department of Personnel Administration that~~
18 ~~become effective during the 2008-09 fiscal year. The~~
19 ~~appropriations for expenditure in the 2008-09 fiscal year in~~
20 ~~augmentation of, and for the purpose of, state employee~~
21 ~~compensation as provided in Items 9800-001-0001, 9800-001-0494,~~
22 ~~and 9800-001-0988 of Section 2.00 of the Budget Act of 2008~~
23 ~~(Chapter 268 of the Statutes of 2008) may include amounts for~~
24 ~~continuing employee benefits that are more than the level of~~

1 ~~funding for employee benefits reflected in the state's overall~~
2 ~~spending plan for the 2008-09 fiscal year.~~

3 ~~SEC. 3. To mitigate unfunded employee compensation~~
4 ~~increases to be effective during the 2008-09 fiscal year, the~~
5 ~~Director of Finance is authorized to transfer appropriation authority~~
6 ~~between the separate items of appropriation in Section 2, as~~
7 ~~permitted by the Budget Act of 2008, to ensure that each~~
8 ~~department's expenditures will be consistent with the~~
9 ~~appropriations authorized by the Budget Act of 2008 or any other~~
10 ~~appropriation available to that department. The transfers authorized~~
11 ~~by this section may be from one department or program to a~~
12 ~~different department or program, within the same fund source.~~